

May 25, 2006

**FORMER TONAWANDA HIGH SCHOOL  
GUIDANCE COUNSELOR SENTENCED  
FOR POSSESSING CHILD PORNOGRAPHY**

**RE: UNITED STATES v. JAMES SPERDUTI**

United States Attorney Terrance P. Flynn announced today the sentencing of former Tonawanda High School guidance counselor, James Sperduti. Sperduti, age 43, of Buffalo, New York, pled guilty on December 28, 2005 before the Honorable William M. Skretny, United States District Judge, to one count of possession of child pornography, in violation of Title 18, United States Code, Section 2252(a)(4)(B).

Assistant U.S. Attorney Allison P. Gioia, who handled the case, stated that Sperduti admitted possessing at least 150, but fewer than 300, images of child pornography on his computer and that some of the images depicted pre-pubescent minors less than twelve years of age, but most of the images depicted post-pubescent young males. Based on the forensic evidence obtained from Sperduti's computer, Sperduti began downloading, viewing, and collecting child pornography in 2002, the same year he began his employment as a guidance counselor at Tonawanda High School. This conduct involving the possession of child pornography continued until Special Agents from Immigration and Customs Enforcement approached Sperduti at his home in April 2005. The Special Agents were led to Sperduti based on computer evidence seized by German authorities that revealed an email address, registered to Sperduti, was used to receive child pornography. Sperduti immediately cooperated with law enforcement and shortly thereafter resigned his

position as a guidance counselor at Tonawanda High School.

In imposing a sentence of forty-one (41) months imprisonment and a three (3) year term of supervised release, United States District Judge William M. Skretny noted that it was alarming that Sperduti chose a profession that put him in daily therapeutic contact with the objects of his arousal, post-pubescent young males. In asking the Court to impose a sentence within the now advisory Sentencing Guidelines range of forty-one (41) to fifty-one (51) months, Gioia stressed that possession of child pornography is not a victimless crime. Child pornography crimes are crimes of violence and images of child pornography are crime scene photos. Gioia added that by criminalizing the crimes of possession, receipt, and distribution of child pornography, Congress has unmistakably and unequivocally stated that an act as simple as possessing the photographic or video memorialization of these crimes in progress (the abuse of children) is sufficient to be punished.

In addition to the sentence described above, Sperduti will be required to register as a sex offender and for the three year term of his supervised release, will be prohibited from having any unsupervised contact with any child under the age of 18 and will also be prohibited from being on any school grounds, child care center, playground, park, recreational facility, or any area in which children are likely to congregate.

The conviction was the result of an investigation led by United States Immigration and Customs Enforcement, under the direction of Special Agent in Charge Peter J. Smith.

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